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9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN FRANCISCO DIVISION

12
13 UNITED STATES OF AMERICA,) CASE NO. 17-CR-46-SI-TSH
14 Plaintiff,)
15 v.)
16 EZAHNA EVANS,)
17 Defendant.)
18

19 On October 25, 2019, a petition was filed alleging that defendant Ezahna Evans violated the
20 terms of his supervised release by: (1) possessing a firearm or ammunition in violation of 18 U.S.C.
21 § 922(g)(1); (2) violating California Vehicle Code Sections 22350(a) (speeding) and 20002 (hit and
run); (3) failing to notify probation within 72 hours of being arrested or questioned by law enforcement;
22 and (4) failing to report to the probation officer as instructed.

23 This matter came before the Court on November 4, 2019, for a detention hearing. The defendant
24 was present and represented by Steven G. Kalar, Federal Defender. Assistant United States Attorney
25 Andrew L. Liao appeared for the government. United States Probation Officer Aldonza Leal was also
26 present. The defendant sought to be released, and the government opposed. At the hearing, counsel
27 submitted proffers and arguments regarding detention.

1 Pursuant to Fed. R. Crim. P. 32.1(a)(6), it is defendant's burden to show by clear and convincing
2 evidence that he will not flee or pose a danger to the community. Here, the fact that the alleged offense
3 of possessing a firearm or ammunition in violation of 18 U.S.C. § 922(g)(1) occurred while the
4 defendant was on supervised release following a prior conviction for that same felony means that the
5 defendant has not carried his burden to prove he is not a danger to the community. Accordingly, IT IS
6 ORDERED THAT:

7 1. The defendant be committed to the custody of the Attorney General for confinement in a
8 corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or
9 being held in custody pending appeal;

10 2. The defendant be afforded reasonable opportunity for private consultation with counsel;
11 and

12 3. On order of a court of the United States or on request of an attorney for the government,
13 the person in charge of the corrections facility in which the defendant is confined shall deliver the
14 defendant to an authorized United States Marshal for the purpose of any appearance in connection with a
15 court proceeding.

16 IT IS SO ORDERED.

17
18 DATED: **11/5/2019**



HON. THOMAS S. HIXSON
United States Magistrate Judge